



Larry Englerth
Executive Director

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November 29, 2006

City of Brandon (via email)
Wayne Fletcher, Director of Public Works
P.O. Box 95
Brandon, SD 57005

Jeremy Scadden Construction
P.O. Box 243
Valley Springs, SD 57068

Under the authority granted by SDCL 49-7A-22, the Enforcement Committee of the South Dakota One Call Notification Board met on November 3, 2006, to determine whether there is probable cause to believe that a violation(s) had occurred relative to Complaint Dockets OC06-007 & OC06-008 filed by City of Brandon against Jeremy Scadden Construction.

Under SDCL 49-7A-27 either party has the option to accept the recommendations of the Enforcement Committee or reject the recommendations of the Enforcement Committee by requesting a formal hearing on any of the violations alleged in this complaint.

Jeremy Scadden Construction has not provided a written response to the recommendations of the Enforcement Committee. Therefore, the South Dakota One Call Notification Board will conduct a contested case hearing as set forth in SDCL Chapter 1-26 to resolve the alleged violations in this complaint. Following the hearing, the Board shall render a decision in the matter.

The arrangement for this hearing will be held in abeyance until Complaint Dockets OC06-009 & OC06-010 have been resolved.

Should you desire to have your attorney do preliminary work on these dockets, all information related to this complaint are referenced on our web site <http://www.state.sd.us/puc/commission/dockets/onecall/2006/OC06-007 & OC06-008/OC06-007 & OC06-008.htm>. If you desire a copy of this material or if you have any procedural questions relative to this complaint docket, please contact me at 605-339-0529 or by email at exedir@sdonecall.com. I would request that you do not contact any members of the South Dakota One Call Notification Board to discuss this complaint. Since they will be involved in the Chapter 1-26 hearing to

resolve of the complaint, they have been advised by legal counsel to not discuss any pending complaint before the Board.

If you have legal questions regarding this matter, please contact the legal staff at the Public Utilities Commission.

Sincerely,

s/s

Larry L. Englerth
Executive Director

Cc: Kara Van Bockern, legal counsel to the South Dakota One Call Board (via email)